

**EXAMINER'S AMENDMENT**

**Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 May 2010 has been entered.

**Interview**

2. Applicant's remarks (pages 11 and 12) in the response filed 24 May 2010 concerning the interview conducted on 23 March 2010 are considered complete and accurate.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. The application has been amended as follows:

**In the title of the invention:**

Change the title of the invention to the following new title of the invention:

--APPARATUS FOR PACKAGING MINERAL WOOL PRODUCTS--.

**In the abstract of the disclosure:**

Replace the abstract of the disclosure with the following new abstract of the disclosure:

--An apparatus for making a substantially air-tight foil package for mineral wool that includes a mechanical compressing device for compressing the mineral wool in a first direction to bring about a dimensional reduction thereof. A wrapping device encloses the mineral wool with a web of a substantially air-tight foil. An evacuating station is arranged downstream of the compressing device and it includes an evacuating device for evacuating air from the mineral wool compressed by the compressing device and enclosed by the foil. The evacuating station includes opposed surfaces for maintaining the dimensional reduction during transfer to the evacuating means of the foil enclosed mineral wool compressed by the compressing device. The opposed surfaces maintain the dimensional reduction during evacuation by the evacuating device.--

**In the claims:**

Cancel claims 1, 2, 6-9 and 19-40.

**Explanation for Examiner's Amendment**

5. The title of the invention has been amended so that it is consistent with the claimed invention.
6. The abstract of the disclosure has been amended so as to remove legal phraseology.

7. This application is in condition for allowance except for the presence of claims 1, 2, 6-9 and 19-40 directed to an invention non-elected without traverse. Accordingly, claims 1, 2, 6-9 and 19-40 been cancelled.

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

#### **Allowable Subject Matter**

9. Claims 10-14 and 16-18 are allowed. Independent generic claim 10 is allowable, and therefore, dependent species claims 17 and 18 are no longer withdrawn from consideration because the claims require all the limitations of an allowable generic claim.

#### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references listed on the attached form (PTO-892) are cited to show an apparatus for compressing and wrapping. All are cited as being of interest and to show the state of the prior art.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen F. Gerrity whose telephone number is 571-272-4460. The examiner can normally be reached on Monday - Friday from 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen F. Gerrity/  
Primary Examiner, Art Unit 3721